

**MINUTES
FREMONT CITY COUNCIL MEETING
MAY 1, 2012
FREMONT CITY HALL
7:00 P.M.**

1. PRELIMINARY

- A. Call to Order:** Mayor Morrison called the meeting to order.
- B. Flag Salute:** Councilmember Dutra led the salute to the flag.
- C. Roll Call:** Present: Mayor Morrison, Vice Mayor Natarajan, Councilmembers: Harrison, Chan and Dutra.
- D. Announcements by Mayor/City Manager**

2. CONSENT CALENDAR

- * **A. Waive Reading of Ordinances:** The City Attorney read the titles of ordinances to be considered.

On a motion by Vice Mayor Natarajan, seconded by Councilmember Chan, the City Council waived further readings of proposed ordinances.

Ayes:	Mayor Morrison, Vice Mayor Natarajan, Councilmembers: Harrison, Chan and Dutra
Noes:	None
Absent:	None
Abstain:	None

- * **B. Approval of Minutes – None.**
- * **C. Mayor Morrison opened consideration of Second Reading and Adoption of an Ordinance of the City of Fremont Amending Various Sections of Fremont Municipal Code Title VIII, Chapters 1 and 3, Relating to Updating Certain Development Standards for Consistency with the New General Plan**

On a motion by Vice Mayor Natarajan, seconded by Councilmember Chan, the City Council adopted Ordinance No. 06-2012.

Ayes:	Mayor Morrison, Vice Mayor Natarajan, Councilmembers: Harrison, Chan and Dutra
Noes:	None
Absent:	None
Abstain:	None

*** D. Mayor Morrison opened consideration of Second Reading and Adoption of an Ordinance of the City of Fremont, Adding Article 20.5 to Fremont Municipal Code Title VIII (Planning and Zoning), Chapter 2 (Zoning) and Amending and Repealing Various Sections Regarding Renewable Energy Systems**

On a motion by Vice Mayor Natarajan, seconded by Councilmember Chan, the City Council adopted Ordinance No. 07-2012.

Ayes:	Mayor Morrison, Vice Mayor Natarajan, Councilmembers: Harrison, Chan and Dutra
Noes:	None
Absent:	None
Abstain:	None

*** E. Mayor Morrison opened consideration of Second Reading and Adoption of an Ordinance of the City of Fremont Amending Fremont Municipal Code Section 2-31701 Pertaining to Art Review Board**

On a motion by Vice Mayor Natarajan, seconded by Councilmember Chan, the City Council adopted Ordinance No. 08-2012.

Ayes:	Mayor Morrison, Vice Mayor Natarajan, Councilmembers: Harrison, Chan and Dutra
Noes:	None
Absent:	None
Abstain:	None

*** F. Mayor Morrison opened consideration of Approval of Plans and Specifications and Award of Contract to the Lowest Responsible Bidder for the Paseo Padre Parkway LED Street Light Retrofit Project from Fremont Boulevard to Washington Boulevard, City Project No. 8725A(PWC)**

On a motion by Vice Mayor Natarajan, seconded by Councilmember Chan, the City Council:

1. Approved the plans and specifications, accept the bid and award the construction contract for the Paseo Padre Parkway LED Retrofit Project from Fremont Boulevard to Washington Boulevard, City Project No. 8725A (PWC), to the lowest responsive and responsible bidder, Amland Corporation, in the amount of \$189,295.00 and authorize the City Manager or designee to execute the contract.
2. Approved transfer appropriation of \$38,000 from 194PWC8684, Energy Efficiency Upgrades, to 194PWC8725, LED Street Light/Parking Lot Retrofit.
3. Approved transfer appropriation of \$25,000 from 194PWC8727, Green Zoning Ordinance, to 194PWC8725 LED, Street Light/Parking Lot Retrofit.
4. Approved transfer appropriation of \$44,789 from 194PWC8712, Fremont Main Library Roof Replacement, to 194PWC8725 LED, Street Light/Parking Lot Retrofit.

Ayes: Mayor Morrison, Vice Mayor Natarajan,
Councilmembers: Harrison, Chan and Dutra
Noes: None
Absent: None
Abstain: None

*** G. Mayor Morrison opened consideration of Authorization for the City Manager to Execute a FY 2011/12 Memorandum of Understanding with Alameda County Health Care Services Agency for the Medi-Cal Targeted Case Management Program**

On a motion by Vice Mayor Natarajan, seconded by Councilmember Chan, the City Council authorized the City Manager or designee to sign a Memorandum of Understanding to enable the City to receive reimbursement for family case management and senior case management services provided to Medi-Cal eligible clients as part of the FY 2011/12 Targeted Case Management program as described in the staff report.

Ayes: Mayor Morrison, Vice Mayor Natarajan,
Councilmembers: Harrison, Chan and Dutra
Noes: None
Absent: None
Abstain: None

*** H. Mayor Morrison opened consideration of Approval of Final Map for Tract 8076, Improvement Agreements for Construction of Public Street (Guardino Drive) and Construction of Private Streets (Gary Lee King Common, Gary Lee King Terrace), and Dedication of Public Easements for Tract 8076**

On a motion by Vice Mayor Natarajan, seconded by Councilmember Chan, the City Council adopted Resolution No. 2012-24:

1. Approving the Final Map and the Improvement Plans for Tract 8076.
2. Approving the Agreement for Public Improvements entitled “Public Improvement Agreement, Tract 8076”, with the developer, Lennar Homes of California, Inc., a California corporation, and authorizing the City Manager to execute the agreement on behalf of the City.
3. Approving the Agreement for Private Improvements entitled “Private Improvement Agreement, Tract 8076”, with the developer, Lennar Homes of California, Inc., a California corporation, and authorizing the City Manager to execute the agreement on behalf of the City.
4. Accepting the developer’s offer of dedication of real property interests, as identified on the Final Map, provided that to the extent offers of dedication are for real property on which the Developer is required to construct public improvements, the acceptance of the offer of dedication of shall be conditioned upon the developer’s completion of improvements to the satisfaction of the City Engineer.

Ayes: Mayor Morrison, Vice Mayor Natarajan,
Councilmembers: Harrison, Chan and Dutra

Noes: None
Absent: None
Abstain: None

*** I. Mayor Morrison opened consideration of Approval of Contract Renewal with Alameda County Behavioral Health Care Services (ACBHCS) for Reimbursement of Mental Health Services in FY 2011/12**

On a motion by Vice Mayor Natarajan, seconded by Councilmember Chan, the City Council authorized the City Manager or designee to execute the Services-as-Needed contract with Alameda County Behavioral Health Care Services for reimbursement for mental health services as set forth in the staff report.

Ayes: Mayor Morrison, Vice Mayor Natarajan,
Councilmembers: Harrison, Chan and Dutra
Noes: None
Absent: None
Abstain: None

*** J. Mayor Morrison opened consideration of a Resolution Providing for and Clarifying the Pick-up Under Internal Revenue Code Section 414(h)(2) of Employee Contributions to CalPERS**

On a motion by Vice Mayor Natarajan, seconded by Councilmember Chan, the City Council adopted Resolution No. 2012-25 ratifying, consolidating and further clarifying the nature of recently negotiated employee “pick-up” of employer CalPERS contributions and confirming that those contributions are classified as pre-tax, as is consistent with the Internal Revenue Code, Treasury Regulations, and other guidance listed thereunder.

Ayes: Mayor Morrison, Vice Mayor Natarajan,
Councilmembers: Harrison, Chan and Dutra
Noes: None
Absent: None
Abstain: None

3. CEREMONIAL ITEMS – None.

4. PUBLIC COMMUNICATIONS

A. Oral and Written Communications

Jesse Schaa, Fremont Fourth Of July Parade Chairperson, requested assistance in helping the committee raise funds by making phone calls requesting donations. Steve Cho, Fremont Fourth Of July Parade committee member, requested the City Council waive the fees for City Services to defray the cost of the Fourth of July Parade. Wynn Greich (Fluoride Action Network & A.T.O.W.N.) expressed a variety of concerns.

5. SCHEDULED ITEMS – None.

6. REPORT FROM CITY ATTORNEY – None.

7. OTHER BUSINESS

A. Mayor Morrison opened consideration of a Proposed Ordinance Levying Special Taxes in Community Facilities District No. 1 (Pacific Commons) and Ratifying Previous Levies pursuant to Second Revised Rate and Method of Apportionment of Special Tax

This item was added to the Consent Calendar.

On a motion by Vice Mayor Natarajan, seconded by Councilmember Chan, the City Council approved introduction of the proposed ordinance levying the special taxes in the CFD in fiscal year 2012/13 and each fiscal year thereafter and ratifying the levy of special taxes in fiscal years 2003/04 through 2011/12, in each case at the rate and in the manner specified in the Second Revised Rate and Method of Apportionment of Special Tax. Directed staff to prepare and the Clerk to publish a summary of the ordinance.

Ayes:	Mayor Morrison, Vice Mayor Natarajan, Councilmembers: Harrison, Chan and Dutra
Noes:	None
Absent:	None
Abstain:	None

8. COUNCIL COMMUNICATIONS

A. Council Referrals – None.

B. Oral Reports on Meetings and Events

Councilmembers reported on their various meetings and activities.

9. SUCCESSOR AGENCY

A. Receive an Oral Report from the Successor Agency Communications Official on the Status of Matters Relating to the Dissolution of the Former Redevelopment Agency.

Councilmembers received report and provided comment.

10. ADJOURNMENT: There being no further business, Mayor Morrison adjourned the meeting at 7:30 p.m.

Attest:

Approved:

Nadine Nader, City Clerk

GUS MORRISON, Mayor